

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

OSCAR OTIEL OCHOA-SANCHEZ,

Defendant.

2:14-CR-117-JCM-(GWF)

PRELIMINARY ORDER OF FORFEITURE

This Court finds that on May 28, 2015, defendant OSCAR OTIEL OCHOA-SANCHEZ pled guilty to Count Six of a Six-Count Indictment charging him with Distribution of Methamphetamine in violation of Title 21, United States Code, Section 841(a)(1). Indictment, ECF No. 26; Change of Plea, ECF No. __; Plea Agreement, ECF No. __.

This Court finds defendant OSCAR OTIEL OCHOA-SANCHEZ agreed to the forfeiture of the property set forth in the Plea Agreement and the Forfeiture Allegations of the Indictment. Indictment, ECF No. 26; Change of Plea, ECF No. __; Plea Agreement, ECF No. __.

This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of America has shown the requisite nexus between property set forth in the Plea Agreement and the Forfeiture Allegations of the Indictment and the offense to which defendant OSCAR OTIEL OCHOA-SANCHEZ pled guilty.

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1 The following assets are: 1) any firearm or ammunition intended to be used in violation of; 2)
2 any property constituting, or derived from, any proceeds obtained, directly or indirectly, as the result
3 of a violation of ; and 3) any property used, or intended to be used, in any manner or part, to commit,
4 or to facilitate the commission of a violation of Title 21, United States Code, Section 841(a)(1) and are
5 subject to forfeiture pursuant to Title 18, United States Code, Section 924(d)(1), (2)(C), and (3)(B)
6 with Title 28, United States Code, Section 2461(c) and Title 21, United States Code, Section
7 853(a)(1), (a)(2), and (p):

- 8 1. One (1) Kel-Tec model PF-9 9 millimeter semi-automatic handgun bearing
9 manufacturer's serial number S3Y89;
- 10 2. Any and all ammunition; and
- 11 3. Thirty-five thousand dollars (\$35,000) in United States Currency

12 (all of which constitutes "property");

13 and an in personam criminal forfeiture money judgment of \$17,700 in United States Currency,
14 not to be held jointly and severally liable with any codefendants, and that the property will be applied
15 toward the payment of the money judgment.

16 This Court finds the United States of America is now entitled to, and should, reduce the
17 aforementioned property to the possession of the United States of America.

18 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the
19 United States of America should seize the aforementioned property.

20 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all right, title, and interest of
21 OSCAR OTIEL OCHOA-SANCHEZ in the aforementioned property is forfeited and is vested in the
22 United States of America and shall be safely held by the United States of America until further order
23 of the Court.

24 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of America
25 shall publish for at least thirty (30) consecutive days on the official internet government forfeiture
26 website, www.forfeiture.gov, notice of this Order, which shall describe the forfeited property, state the

1 time under the applicable statute when a petition contesting the forfeiture must be filed, and state the
2 name and contact information for the government attorney to be served with the petition, pursuant to
3 Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code, Section 853(n)(2).

4 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any individual or entity
5 who claims an interest in the aforementioned property must file a petition for a hearing to adjudicate
6 the validity of the petitioner's alleged interest in the property, which petition shall be signed by the
7 petitioner under penalty of perjury pursuant to Title 21, United States Code, Section 853(n)(3) and
8 Title 28, United States Code, Section 1746, and shall set forth the nature and extent of the petitioner's
9 right, title, or interest in the forfeited property and any additional facts supporting the petitioner's
10 petition and the relief sought.

11 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be filed
12 with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas, Nevada 89101, no later than
13 thirty (30) days after the notice is sent or, if direct notice was not sent, no later than sixty (60) days
14 after the first day of the publication on the official internet government forfeiture site,
15 www.forfeiture.gov.

16 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if any,
17 shall be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at the
18 following address at the time of filing:

19 Michael A. Humphreys
20 Assistant United States Attorney
21 Daniel D. Hollingsworth
22 Assistant United States Attorney
23 Lloyd D. George United States Courthouse
24 333 Las Vegas Boulevard South, Suite 5000
25 Las Vegas, Nevada 89101.

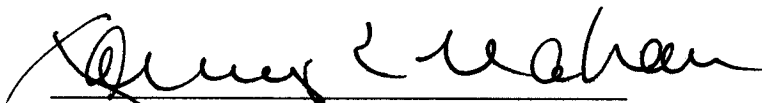
26 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described herein
need not be published in the event a Declaration of Forfeiture is issued by the appropriate agency

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1 following publication of notice of seizure and intent to administratively forfeit the above-described
2 property.

3 DATED this 28th day of May, 2015.

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7 UNITED STATES DISTRICT JUDGE
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